

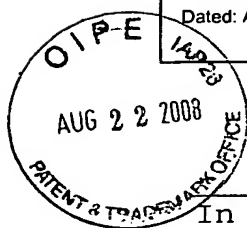
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MS Appeal Brief - Patents, Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450.

Dated: August 19, 2008

Signature: _____
(Orville R. Cockings)

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(PATENT)

AT-IFW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Chapman et al.

Application No.: 10/733,129

Group Art Unit: 2855

Filed: December 11, 2003

Examiner: G. K. Verbitsky

For: WIRELESS REMOTE COOKING
THERMOMETER SYSTEM

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

MS Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby file this response to the Notification of Non-Compliant Appeal Brief mailed July 25, 2008 ("Notification") notifying the appellant of informal defects in the brief on Appeal mailed July 11, 2008. The Notification objected to appellant's description of the "Summary of Claimed Subject Matter," and requested that each independent claim be separately identified and described using references to page and line numbers in the specification. As suggested in the Notification, appellant has chosen to re-submit only section V of the brief below.

V. REPLACEMENT SUMMARY OF CLAIMED SUBJECT MATTER

The claims on appeal relate to a wireless remote cooking thermometer system. (Specification, p.3, 11.18-27.) More specifically, the claimed invention is generally directed to a system that includes two hand-held units that allow an operator to remotely monitor the status of a food item as it is being cooked. (*Id.*, p.10, 11.22-36; p.6, 1.11 - p.7, 1.4) A first hand-held unit is located adjacent to the food being cooked. (*Id.*, p.6, 11.14-21.) The first unit receives the internal temperature of the food being cooked from a temperature sensor to which it is connected. (*Id.*, p.6, 11.21-23; p.8, 11.20-23.) The system further includes a microprocessor that allows the user to set a taste preference and choice preference. (*Id.*, p.3, 11.22-28; p.6, 11.2-7; p.9, 11.3-6.) The system also includes a second hand-held unit that wirelessly communicates with the first unit. (*Id.*, p.7, 11.1-8; p.8, 1.36 - p.9, 1.6.) In one aspect of the invention, the second unit advantageously allows a user to move away from the cooking location while the food is being cooked. (*Id.*, p.3, 11.10-14.) An advantage of the claimed invention is that the hand-held units allow for user mobility yet while allowing a particular food item to be monitored and cooked to the user's desired taste preference.

In accordance with the specification, claim 1 is directed to a wireless remote cooking thermometer system. (Specification, p.3, 11.18-22.) The system comprises a first hand-held unit that is positionable at a first location adjacent to the food being cooked. (*Id.* p.6, 11.14-21) The first hand-held unit includes a radio frequency transmitter operative to transmit internal temperature readings associated with the food being cooked. (*Id.*, 11.27-32) The system also includes at least one microprocessor that is operable to calibrate taste and choice preferences associated with the food being cooked. (*Id.*, p.3,

11.22-28.) A temperature sensor that includes a probe and that is connectable to the first hand-held unit is included in the system for measuring the internal temperature of the food being cooked. (*Id.*, p.6, 11.17-21.) The system also includes a second hand-held unit that includes a liquid crystal display and a radio frequency receiver for reception of the internal temperature readings that are transmitted by the first hand-held unit. (*Id.*, p.7, 11.1-8; p.6, 11.11-14.)

According to claim 2, the temperature sensor of claim 1 further comprises a substantially rigged temperature probe that includes a distal end and a proximal end. (Specification, p.8, 11.4-6.) Claim 2 further recites other structures associated with the temperature sensor including that the probe has a substantially straight section, a curved section and a flexible communication line. (*Id.*, 11.8-27.)

Claim 3 depends on claim 1, and further recites that the first hand-held unit includes a liquid crystal display for selectively displaying the taste preference. (Specification, p.6, 11.14-17; p.4, 11.13-14.)

Claim 4 depends from claim 1. It further recites that taste preferences include rare, medium rare, medium and well done. (Specification, p.7, 11.21-22.)

Claim 5 depends from claim 1 and claim 6 depends from claim 5. These claims recite a noise-generating unit that provides an audible signal and that is provided on the second unit. (Specification, p.9, 11.3-6.)

Claim 7 depend from claim 1 and further recites that the second unit includes a timer for timing cooking operations. (Specification, p.7, 11.26-30.)

Claim 8 also depends from claim 1 and further recites that the temperature is selectively displayed in either in Fahrenheit or Celsius. (Specification, p.7, 11.23-26.)

Claims 10 and 11, which also depend from claim 1, further recite limitations relating to the liquid crystal display and the type of information that is displayed thereon. (Specification, p.4, 11.26-32; p.7, 11.15-17.) Claim 12 depends from claim 11 and further recites that the second unit includes a depressable start/stop key for starting and stopping the timer. (*Id.*, p.7, 11.28-30.)

Claim 13 depends from claim 2. It recites that the flexible communication line includes a plug and that the first unit includes a communication jack adapted to receive the plug. (Specification, p.8, 11.17-20.)

Independent claim 14 is directed to a wireless programmable thermometer timer system. (Specification, p.3, 11.18-22.) The system comprises a first hand-held unit that includes a radio frequency transmitter, one or more data entry keys associated with meat selection preference, taste selection preference and a first visual display for displaying temperature readings, meat selection preference and taste preference. (*Id.*, p.6, 11.14-17; p.6, 11.27-36; p.7, 11.14-30.) The system also includes a temperature sensor that has a substantially ridged temperature probe. (*Id.*, p.8, 11.4-11.) The probe is insertable in a meat that is being cooked and that is also connectable to the first hand-held unit. (*Id.*)

The system also includes a micro-processor operable to the temperature setting based on meat and taste selection preferences, monitor temperature sensor readings and communicate the readings to a radio frequency transmitter. (Specification, p.3, 11.25-28; p.9, 11.3-7.)

Claim 14 also includes a second hand-held unit that includes a radio frequency receiver for receiving the temperature sensor readings transmitted by the first hand-held unit. (Specification, p.6, 11.30-32; p.9, 11.1-33.)

Claims 15 depends claim 14 and further recites that taste preferences include rare, medium rare, medium and well done. (Specification, p.7, 11.21-22.)

Claim 16 depends from claim 14 and recites a noise-generating unit that provides an audible signal and that is provided on the second unit. (Specification, p.9, 11.3-6.)

Claim 17 further recites that the second unit includes a timer for timing cooking operations. (Specification, p.7, 11.26-30.)

Claim 18 further recites that an audible indication is provided when the established temperature is substantially equal to the monitored temperature (Specification, p.5, 11.5-8; p.9, 11.3-6.)

Claim 19 is the last claim in the application. It is an independent claim directed to a wireless remote cooking thermometer system. (Specification, p.3, 11.18-22.) The system includes a first hand-held unit removably positioned adjacent food being cooked and wherein the first hand-held unit operates using a radio frequency transmitter. (*Id.*, p.6, 11.14-21; p.6, 11.27-32.) The system also includes a temperature sensor connectable to the first hand-held unit that includes a substantially rigid probe insertable in food being cooked. (*Id.*, p.6, 11.17-21, p.8, 11.8-27.)

The system of claim 14 further includes a second hand-held unit operable to select a meat choice preference and taste preference. (Specification, p.3, 11.22-28; p.6, 11.2-7.) The second unit further includes a visual display and a radio frequency receiver (*Id.*, p.7, 11.1-8; p.6, 11.11-14.) The second hand-held unit is also recited as including a microprocessor capable of calibrating taste preference. (*Id.*, p.6, 11.4-7.)

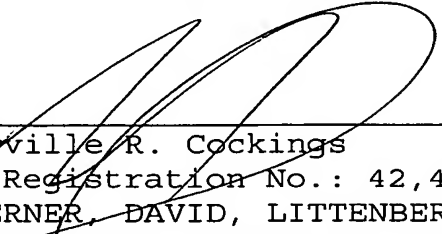
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If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: August 19, 2008

Respectfully submitted,

By 
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